

E1-2043



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor
Scott Hassett, Secretary

101 S. Webster St.
Box 7921
Madison, Wisconsin 53707-7921
Telephone 608-266-2621
FAX 608-267-3579
TTY Access via relay - 711

March 10, 2006

Office of the Secretary
Case Control Unit
Surface Transportation Board
1925 K Street, N.W.
Washington, D.C. 20423

**RE: STB Docket Number AB-303 (Sub-No. 28X) Wisconsin Central LTD. ---
Abandonment Exemption-- In Ashland County, WI**

Dear Gentilepersons:

The Wisconsin Department of Natural Resources is the state agency responsible for administering environmental laws and regulatory issues relating to the use of public waters.

Our Department has been involved in public meetings and discussions with the applicant and interested parties before the abandonment exemption was filed. Our Department has continuing concerns about environmental and regulatory issues relating to this abandonment exemption.

These have been outlined in our previous correspondence relating to the Environmental Assessment.

The Wisconsin Department of Natural Resources hereby notifies the Board of its desire to be listed as a party of record in the above captioned proceeding. We will be filing, under separate cover, a request for a stay and comments on the Environmental Assessment in this matter.

We are enclosing this original request and 10 copies. Also enclosed is a certificate of service indicating that the notice has been properly served on the other parties of record.

Please include the following on the service list for the proceeding:

Wisconsin Department of Natural Resources

Michael J. Cain, Bureau of Legal Services

101 South Webster St.

P.O. Box 7921

Madison, WI 53707-7910

Fax Number 608-266-6983

Email address: Michael.Cain@dnr.state.wi.us

Please date stamp and return a duplicate copy of this letter in the prepaid, return mail envelope for verification of receipt. Thank you.

Sincerely,

Scott Hassett
Secretary

Verification

I, _____ (Scott Hassett), declare under penalty of perjury that the foregoing is true and correct. Further, I certify that I am qualified and authorized to file this pleading.

Executed on _____ day of March, 2006.

Scott Hassett, Secretary

Enclosure (Certificate of Service, Motion for Stay and Comments)

cc: Secretary Scott Hassett
Mary Schlaefel-AD/5
Congressman David Obey
Senator Robert Jauch
Representative Gary Sherman
John Gozdziowski-NOR
Duane Lahti-NOR
Thomas German-BCPL
Michael Cain-LS/5

CERTIFICATE OF SERVICE

Case No.: AB-303 (Sub-No. 28X)
Case Name: Wisconsin Central Ltd. -- Abandonment Exemption In -- Ashland County, WI

STATE OF WISCONSIN)
) ss.
COUNTY OF DANE)

Susan L. Eley, being first duly sworn, on oath deposes and says that: she is not a party to the above-entitled action; she is employed by the State of Wisconsin, Department of Natural Resources, in the capacity of Paralegal.

On the 13th day of March, 2005, she served one copy of the notice to participate in STB Docket Number AB-303 (Sub-No. 28X) Wisconsin Central Ltd. -- Abandonment Exemption -- In Ashland County, WI, upon each of the following at his/her respective last known address:

Michael J. Barron, Jr.
CN Railroad
17641 S. Ashland Avenue
Homewood, IL 60430

Michael J. Barron, Jr.
Fletcher & Sippel LLC
29 North Wacker Drive, Suite 920
Chicago, IL 60606-2832

Wisconsin Department Of Transportation
4802 Sheboygan Avenue
Madison, WI 53707-7910

Wisconsin Historical Society
Historic Preservation
816 State Street
Madison, WI 53706

Kathleen Kowal
U.S. Environmental Protection Agency, Region 5
77 West Jackson Boulevard
Chicago, IL 60604-3590